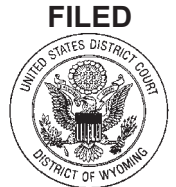


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING



FILED
3:01 pm, 9/18/15
Stephan Harris
Clerk of Court

KELLY JAMES

Plaintiff(s)

VS

Case Number: 15-CV-141-F

ROCKY MOUNTAIN RECOVERY
SYSTEMS, INC. et al

Defendant(s)

**NOTICE OF LAWSUIT AND REQUEST FOR
WAIVER OF SERVICE OF SUMMONS**

TO: Charlotte B. Wilkerson

A lawsuit has been commenced against an entity and/or a person or persons on whose behalf you may be accepting service. A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the District of Wyoming and has been assigned docket number 15-CV-141-F.

This is not a formal summons or notification but rather a request that you sign and return the enclosed waiver of service in order to save the cost of individually serving the above captioned defendants with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if we receive a signed copy of the acceptance of service waiver within thirty (30) days after the date designated below as the date on which this Notice and Request is sent. Return service may be accomplished via the Court's CM/ECF system: under Civil Events, Service of Process, Waiver of Service Executed. When prompted, enter the date this notice was sent and your answer date will populate.

If you comply with this request and return the signed waiver, it will be filed with the Court and no summons will be served on you and/or the defendants listed by you in the Waiver. The action will then proceed as if all listed defendants had been served on the date *the waiver is filed*, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure will then be taken, to the extent authorized by those Rules, to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that regard please read the statement concerning the duty of parties to waive the service of the summons, which is set forth within the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff this 18th day of September, 2015.

Stephan Harris
Clerk of Court

by:


Deputy Clerk

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING

KELLY JAMES

Plaintiff(s)

vs

Case Number: 15-CV-141-F

ROCKY MOUNTAIN RECOVERY
SYSTEMS, INC. et al

Defendant(s)

ACCEPTANCE OF SERVICE ON BEHALF OF LISTED DEFENDANTS AND WAIVER OF SERVICE OF SUMMONS

TO: Clerk, US District Court

I acknowledge receipt of your request that we Accept and Waive Service of a Summons in the action of James vs. Rocky Mountain Recovery Systems, Inc. et al, which is case number 15-CV-141-F, in the United States District Court for the District of Wyoming. I have also received a copy of the complaint in the action.

I agree to accept electronic service as a reliable means of service as required under Rule 4(d)(1)(G).

I agree to Accept Service on behalf of those defendants listed on the following page(s) and to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the

summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon the Court before 60 days from the date designated as the date on which the Notice of Lawsuit was sent (or 90 days from that date if your address is not in any judicial district of the United States).

Date

Signature

Printed / Typed Name

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court

or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

List of entities and defendants to be represented and in which capacity: